

Amend 2 Cal. Code Regs. Section 18428 to read:

§18428 Reporting by Affiliated Entities Reporting of Contributions and Independent Expenditures Required to be Aggregated.

(a) ~~The combined activities of affiliated entities (see Government Code section 85311; 2 Cal. Code Regs. sections 18225.4) shall be used to determine whether~~ Whenever a monetary threshold in the identified in Chapter 4 and Chapter 5 of the Political Reform Act or these regulations has been met or exceeded, contributions and independent expenditures from different sources that are aggregated and treated as if received from a single person shall be reported as follows:

(b) Major Donor and Independent Expenditure Committees:

(1) ~~Affiliated entities which do not receive campaign contributions~~ Any person that is a committee pursuant to Government Code section 82013 (b) or (c) that is required to aggregate contributions under 2 Cal. Code section 18215.1 or independent expenditures under 2 Cal. Code section 18225.4 shall file one its campaign statement reflecting their combined activities the total aggregated amount of the contributions or independent expenditures made for the required reporting period. The campaign statement shall be filed in the name of the person who individual or entity that directs and controls the expenditures making of the payments of the affiliate or affiliates with an indication entity or entities whose contributions or independent expenditures are required to be aggregated. {DECISION POINT 2} (Option 1) [The filer shall also include under the “name of filer” that the campaign statement includes the activity of these entities the names of the other entities directed and controlled by the filer whose contributions or independent expenditures are included in the report.] (Option 2) [The filer shall indicate in the

1 campaign statement under the “name of filer” that the campaign statement includes the activity
2 aggregated activities of these entities other entities directed and controlled by the filer (e.g.,
3 (name of filer) “including aggregated contributions/independent expenditures”). In itemizing the
4 amount of each contribution or independent expenditure made. The campaign statements must
5 indicate which entity made each also identify the name of the entity whose contributions or
6 independent expenditures were aggregated for each itemized payment made. The filer shall also
7 identify on its next each campaign statement it is required to file the addition or deletion of any
8 entity, other than a committee pursuant to Government Code section 82013(a), with which it
9 becomes affiliated or with which it ceases to be affiliated the filer is required to aggregate
10 contributions or independent expenditures. If the committee has filed a previous campaign
11 statement that did not require aggregation and it was filed in a name other than the required
12 name of filer for reporting aggregated contributions or independent expenditures as set forth
13 above, the subsequent report shall include under the name of filer the former name under which
14 the report was filed. (e.g., (name of filer) formerly (name of individual only) or (name of entity
15 only).

16 (2) Whenever any person identified in this subdivision makes a contribution that is
17 subject to aggregation to a committee that is required to report the contribution on its own
18 campaign statements, the person making the contribution shall notify the recipient committee of
19 the “name of filer” under which the contribution is being reported on that person’s statement.

20 (c) Recipient Committees: Each affiliated entity that is a committee pursuant to
21 Government Code section 82013(a) shall file its own campaign statement.

1 (1) Contributions Received: Whenever any person that is a committee pursuant to
2 Government Code section 82013(a) files its campaign statement under the reporting provisions
3 of Chapter 4 or Chapter 5 of the Political Reform Act disclosing a contribution received from a
4 committee described in Government Code section 82013 (c), it shall report the contribution as
5 received from the “name of filer” identified by the donor and additionally include the name of
6 each entity listed as making contributions directed and controlled by the filer e name of the
7 contributor for each contribution identified as received from the donor (e.g., (name of filer)
8 “including aggregated contributions).”

9 **{Decision Point 3}** [(2) Reporting Contributions and Independent Expenditures Made:
10 Whenever any person that is a committee pursuant to Government Code section 82013(a) files
11 any campaign statement that is required under the reporting provisions of Chapter 4 or Chapter 5
12 of the Political Reform Act disclosing contributions or independent expenditures made by that
13 committee, and the contributions or independent expenditures are subject to aggregation, those
14 contributions or independent expenditures shall be identified on its report as a payment that is
15 subject to aggregation and reported to the recipient in the same manner as set forth for major
16 donor and independent expenditures committees in subdivision (b) above. (See Government
17 Code section 84211(k)(5).)]

18 ~~(d) When an affiliated entity makes a contribution, it shall advise the recipient in writing~~
19 ~~of its name and address and the name of all affiliated entities and of the requirement that the~~
20 ~~recipient identify the contributor as an affiliated entity on the recipient’s campaign statement.~~
21 ~~The recipient shall report the contribution as received from the contributor “and its affiliated~~
22 ~~entities,” but shall not be required to list the name of each affiliate.~~

1 ~~(e) The recipient of a contribution from an affiliated entity shall maintain for five years~~
2 ~~the notice required by this section.~~

3 (¶) (d) The notification requirements of subdivisions ~~(d) and (e)~~ (b)(2) of this regulation
4 are not applicable to contributions made by a sponsor to its sponsored committee.

5 NOTE: Authority cited: Section 83112, Government Code. Reference: Sections 82015, 84211,
6 and 85311, Government Code.